

Martha G. Bronitsky
Chapter 13 Standing Trustee
United States Bankruptcy Court

6140 Stoneridge Mall Rd, #250, Pleasanton, CA 94588

Mail to: P.O. Box 9077, Pleasanton, CA 94566

Debtor Chapter 13 Plan Payments to: P.O. Box 341, Memphis, TN 38101-0341

Telephone: (925) 621-1900

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November 25, 2014

Ruehmann Law Firm Pc
9580 Oak Ave Pkwy #15
Folsom, CA 95630

Chapter 13 Case No.: 14-44273-WJL13

Re: Elizabeth Vierra

In our initial review of your client's case, the trustee requests clarification of the listed items on the attached forms.

Although a complete review of this case has not taken place and there may be other inconsistencies that may need to be addressed at the 341 meeting, it is necessary to advise you of the situation.

The requested items **must** be received five (5) days prior to the 341 meeting of creditors. Failure to provide the requested information may result in the recommendation by the trustee that this case be dismissed or converted to a Chapter 7.

If you have any question concerning this matter, please do not hesitate to contact the Legal Department.

Sincerely,

/s/ Martha G. Bronitsky
Martha G. Bronitsky
Chapter 13 Standing Trustee

DEBTOR'S PLAN – CASES FILED ON OR AFTER 8/1/13

AMENDED PLAN AND/OR BELOW DOCUMENTS TO BE FILED WITH BANKRUPTCY COURT FOR THE FOLLOWING REASONS:

- ☐ Standard Oakland Division Chapter 13 plan to be filed with court. (Version 8/1/13 – see attached)
- ☐ Please serve the plan on all creditors with 28 days notice and opportunity to object on all creditors or 21 days' notice & opportunity to object, if plan was previously served & amendment is being filed that effects the creditors. .
[Attached is a standard notice and certificate of service. Please include your creditors in the certificate of service and mail a copy of the notice, certificate of service and the plan to each creditor and file the notice and certificate of service with the bankruptcy court]
- ☐ ____ plan payments and/or months not provided on the chapter 13 plan section 1.01a
- ☒ ____ Section 1.01a missing source of plan payment
- ☐ ____ section 1.01b missing source of step up/lump sum payment
- ☐ ____ section 1.01c missing plan term just says "for months"
- ☐ ____ Step payments are generally not allowed. The Trustee is evaluating section # ____ of this plan for a possible objection.
- ☒ Section 2.05:
- LISTING 1ST DOT NATIONSTAR AS A CRAM ***CANNOT CRAM 1ST DOT***
 - RUNNING ALMOST 700 MONTHS TO PAY
 - PLAN UNFEASIBLE
- ☐ Step payments are generally not allowed. The Trustee is evaluating section # ____ of this plan for a possible objection.
- ☐ The following creditor is listed in multiple sections #, must select one.
- ☐ Section 2.10 missing priority creditors from schedule E
- ☐ No selection on section 2.12
____ Percent plan or Pot Plan must be selected
____ Estimated percentage must be reflected under "Pot Plan"
- ☐ No time frame for sale/refinance of property and/or time frame to long in section 1.01(b).
- ☐ Per Trustee's plan calculations,
____ Plan exceeds sixty (60)/thirty six (36) months, Need \$
____ Monthly payments on attorney fees too high
____ Monthly payments on attorney's fees & arrears overlap.
____ No monthly payment provided for
____ Monthly payments exceed proposed plan payments
- ☐ Information on the plan
____ The following does not match:
____ The following creditor is listed in multiple sections #, must select one.

- ☐ Claim # was filed by and was not provided for and/or classification of claim is different than scheduled
- ☒ Declaration of outside party to support plan: NON FILING SPOUSE, PARENTS, SISTER
- ☒ Section 2.05 – “reduction in value” requires Motion to value Collateral to be filed and ordered prior to confirmation of plan - Please serve with 21 days notice and opportunity to object.
Needed for the following creditors: NATIONSTAR

MISC DOCUMENTS

- ☒ Copy of most recent filed IRS tax return to trustee's office 7 days before 341.
Send 1st two pages of 1040 & schedule C (if applies) with all ssn's redacted including dependents' names & ssn's (if applies). PLEASE DO NOT FILE WITH COURT. THE CAN BE PROVIDED AS FOLLOWS:
- *Via mail - Po Box 9077 Pleasanton CA 94566*
 - *Drop off - 6140 Stoneridge Mall Rd. suite 250, Pleasanton CA 94588*
 - *FTP site (procedures can be requested)*
 - *Encrypted file - via email 13TRUSTEE@OAK13.COM only if properly encrypted, with the proper access information provided to the Trustee's office. Taxes and payment advices must be attached as separate PDF attachments. If the email is not encrypted they will not be received.*
- ☒ Payment advices (paystubs)/payment advice coversheet stating no advices received to be provided to trustee's office 7 days before 341.
- ☒ ATTORNEY FEES ARE NOT MATCHING ON PLAN, B203 AND R& R NEED TO AMEND ALL THREE SHOULD MATCH
- ☐ Need domestic support obligation information. (i.e. name & address(s) of person receiving the support & the name/address of the county where the order was issued. Only if its court ordered | see form attached, please do not file this with the court, send to Trustee's office only)

MEANS TEST

- ☐ Payment of \$ with % to unsecured creditors or Pro Tanto is needed to pay in disposable monthly income of \$
- ☐ Per means test commitment period of 60 months is needed for plan.
- ☐ Business expenses need to be moved from section #3(b) to #57 or #60
- ☐ Deduction on # needs a supporting declaration.
- ☐ Deduction on # does not match the current expenses of the debtor, per the schedule J.
- ☐ Incorrect information on means test Line#

SCHEDULES

AMENDED SCHEDULES TO BE FILED WITH BANKRUPTCY COURT FOR THE FOLLOWING REASONS:

- ☐ SCHEDULE (A) REAL PROPERTY

☐ SCHEDULE (B) PERSONAL PROPERTY

SCHEDULE (C) EXEMPTIONS

- ☐ Homestead exemption incorrect
☐ Homestead exemption not taken

☐ SCHEDULE (D) SECURED CREDITORS

☐ SCHEDULE (E) UNSECURED PRIORITY

___ Must reflect domestic support obligation information. (i.e. name and address(s) of person receiving the support and the name/address of the county where the order was issued. Only if its court ordered

☐ SCHEDULE (F) GENERAL UNSECURED

☐ SCHEDULE (G) EXECUTORY CONTRACTS

☐ SCHEDULE (H) CO-DEBTORS

☐ SCHEDULE (I) INCOME

NEED COMPLETE EMPLOYER ADDRESS/INFORMATION FOR DEBTOR #

SCHEDULE (J) EXPENSES

- ☐ Expenses exceed Income
☐ Proposed payment exceeds excess income
☐ Business J not provided. Need detailed list of the expenses listed on line #16
☐ Auto insurance not provided for
☐ Not all excess income is being paid into the plan \$ after expenses & proposes \$ plan payment
☐ Provide for Property taxes & mortgage insurance. (Per #1 —expense is not included in mortgage payments and/or yes or no not selected)

STATEMENT OF AFFAIRS

- ☐ Information incomplete on question #

ATTORNEY FEES

- ☐ No Rights and Responsibilities filed
☐ No Attorney fee disclosure filed
☐ Statement by debtor not represented by an attorney (Is attached - fill out and file with court)

VOLUNTARY PETITION

☐

OTHER:

☐